

REMARKS

The rejection of claims 62 - 73 under 35 USC 103(a) over Kimoto 6,115,611 is respectfully traversed.

Applicants readily agree that Kimoto shows a mobile user querying a data base to download information about a trip route.

Applicants firmly maintain, however, that there is no showing in Kimoto of dead zones or of maintaining communication when the vehicle is passing through a dead zone.

Indeed, the Kimoto reference teaches away from the present invention because it teaches storing the information about services (filling stations, restaurants, etc.) in the mobile system. If the Kimoto system had provision for maintaining contact at all times, it would not need to store the database information.

In contrast, Applicants' claims require various steps that specifically require awareness of dead zones. Claim 62 requires comparison of the trip route and the location of dead zones. Claim 63 adds taking steps to avoid dead zones.

The Kimoto reference could well benefit from the use of the present invention, because it would permit Kimoto to offer a more reliable service.

Even if a user of Kimoto's system, can access stored data while passing through a dead zone and therefore find filling stations, restaurants and other services, the user will not be able to perform new operations such as getting new data and, in particular, continuing a conversation.

In summary, Kimoto teaches a system that attempts to permit the user to keep using stored data when passing through a dead zone, but does not attempt to avoid dead zones or to take measures that would keep communication going in spite of passing through a dead zone.

New claims 74 - 77 are based on allowed claims 1 - 4 in copending application number 09/133,649, which is the parent to the present application. Claims 74 - 77 are directed to a program storage device. Applicants therefore submit that inclusion of these claims is proper, since the basis for the divisional was that claims 62, etc. were directed at a program storage device.

For the foregoing reasons, allowance of the claims is respectfully solicited.

Respectfully submitted,

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